IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Bail Appl..No. 7255 of 2007()

CRIME NO.778 OF 2007 OF MATTANCHERRY POLICE STATION

: PETITIONER

SHINOD CYRIAC, S/O.V.C.KURIAKOSE,
VENGATHANAM HOUSE, KURIANAD P.O.,
MONIPILLY.

BY ADV. SRI.BABU PAUL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. ASSISTANT COMMISSIONER OF POLICE, MATTANCHERRY.

3. THE CIRCLE INSPECTOR OF POLICE, MATTANCHERRY.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7255 of 2007

Dated this the 23rd day of November, 2007

ORDER

Application for anticipatory bail. The petitioner apprehends arrest on the allegation which may be raised that he has committed non bailable offences. The learned Public Prosecutor after taking instructions submits that the petitioner has not been arrayed as an accused in any case and he is not required to be arrested. But according to the learned Public Prosecutor, the petitioner is required to be interrogated in connection with Crime No.778 of 2007 of Mattanchery Police Station, which is registered under Section 41(1)(d) and 102 Cr.P.C. 2 women along with 2 others were travelling in a car. That car was stopped. The men took to their heels. The 2 ladies were arrested. They had 424 grams of gold with them. On the suspicion that they are involved in some offence, the ladies were taken into custody. They have later been released on bail. Investigation is in progress. The petitioner has to be interrogated as he is shown to have some connection with one of the absconding accused.

2. The learned Public Prosecutor submits that the petitioner may be directed to co-operate with the investigators. He must appear before the Investigating Officer and make himself available for

questioning. He shall not be arrested. If at later stages of the investigation his arrest is found to be required, prior notice shall be given to him and prior permission of this Court shall be sought, submits the learned Public Prosecutor .

3. In the light of the submissions of the learned Public Prosecutor, the apprehension of the petitioner that he may be arrested on the allegation of having committed non bailable offences is found to be without any merit now. I accept the submissions and undertaking of the learned Public Prosecutor. The petitioner undertakes to appear before the Investigating Officer at 11 a.m on 27.11.2007. That submission is also made note of.

4. This bail application is, in these circumstances, dismissed with the above observations.

(R.BASANT, JUDGE)

rtr/-